

**MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

The City of Johnson City City Council met for a Special Meeting on Tuesday, October 11, 2022 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell, Mayor
Gayla Guthrie
Stephanie Fisher
Shelton Coleman
Teresa Babb
Patricia Dildine

Staff Present: Rick Schroder, CAO
Whitney Walston, City Secretary
BJ Sultemeier, Public Works Director
Ross Allen, Police Chief
Elizabeth Elleson, City Attorney

Citizens: Tricia Hartmann
Jen Hartmann

1. Call to order.

Mayor Stell called the meeting to order at 6:01 pm. The pledge and invocation followed.

PUBLIC HEARINGS:

- 2. Public Hearing to give all interested persons the right to appear and be heard on a Zoning Amendment Application from Timothy Foster for a change in zoning from “Commercial District” (CD) to “Industrial Park District” (IP) for property located at 103 Bill Watson Dr., Johnson City, Texas 78636, more particularly described as BCAD Prop. ID No. 14941.**

The public hearing opened at 6:03 pm and closed at 6:04 pm. There were no comments.

- 3. Public Hearing to give all interested persons the right to appear and be heard on proposed amendments to the Municipal Code of Ordinances related to floodplain regulation and management. Specifically, proposed amendments include the following:**

- ***Section 2.8 Plat Application Packet Requirements of Article 10.02 Subdivision Ordinance in Chapter 10 Subdivision Regulation;***

- **Article 10.03 Stormwater Detention and Drainage in Chapter 10 Subdivision Regulation;**
- **Section 3 Storm Drainage Facilities and Section 4 Vegetation in Appendix B. Design Standards and Specifications Manual of Article 10.02 Subdivision Ordinance in Chapter 10 Subdivision Regulation; and**
- **Article 3.04 Flood Damage Prevention.**

The hearing opened at 6:04 pm and closed at 6:05 pm. There were no comments.

OPEN SESSION:

4. Citizens to be heard.

There were no comments.

REPORTS:

5. Proclamations, Presentations, and/or Reports.

- a) **Report – Chief Administrative Officer Rick Schroder.**
CAO Schroder presented and spoke on the topics included in his report.
- b) **Report – Public Works Director Brent Sultemeier.**
Public Works Director Brent Sultemeier presented and spoke on the topics included in his report. The report was provided in the council packet
- c) **Report – Police Chief Ross Allen**
Police Chief Ross Allen presented and spoke on the topics included in his report. The report was provided in the council packet.
- d) **Report – Code Enforcement Officer Jessica Oestreich.**
The report was provided in the council packet.
- e) **Report – Municipal Court Judge Tom Walston and Court Clerk Patricia Mikla.**
The report was provided in the council packet.
- f) **Report – Monthly Building Permit Report.**
The report was provided in the council packet.
- g) **Report – Monthly Work Order Report.**
The report was provided in the council packet.
- h) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
The report was provided to the council at the time of the meeting.
- i) **Quarterly Report – Grant Development Services.**
The report was provided in the council packet.

CONSENT AGENDA (ITEM NOS. 6 - 10):

- 6. Approval of the minutes of the Regular and Special Meetings of the Johnson City City Council dated, respectively, September 6, 2022 and September 20, 2022. (Staff)**

7. **Approval of the Fiscal Year Ending (FYE) 2022 Revenue and Expense, Check Register, and Balance Sheet Reports dated September 30, 2022. (Staff)**
8. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas authorizing certain budget amendments pertaining to the adopted FYE 2022 Budgets; incorporating recitals; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; and setting an effective date. (Staff)**
9. **Approval of the City of Johnson City Quarterly Investment Report for quarter ending September 30, 2022. (Staff)**
10. **Approval of a directive to City Staff ordering that any invoice received after October 31, 2022 be paid from FYE 2023 Municipal Budget(s). (Staff)**

Councilmember Dildine made the motion to approve the consent agenda. Councilmember Coleman seconded the motion. All were in favor and the consent agenda was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. **Discussion of and action on a Zoning Amendment Application from Timothy Foster for a change in zoning from “Commercial District” (CD) to “Industrial Park District” (IP) for property located at 103 Bill Watson Dr., Johnson City, Texas 78636, more particularly described as BCAD Prop. ID No. 14941. (Applicant)**

Councilmember Babb recused herself due to her professional relationship with the applicant. Councilmember Coleman motioned to approve the zoning application. Councilmember Guthrie seconded the motion. All were in favor and the item was approved.

12. **Discussion of and action on a request for a variance by Sultemeier Surveying & Engineering from Municipal Code of Ordinances Chapter 10 *Subdivision Regulation*, Article 10.02 *Subdivision Ordinance*, Sections 10.02.093 (c)(2)(Q)(iv) and 10.02.214 regarding critical environmental features and streets for the Ranches at Lost Draw Subdivision located near the intersection of Flat Creek Road and U.S. Hwy. 290, more particularly described as BCAD Prop. ID No. 8152. (Applicant)**

Councilmember Dildine made the motion approving the variance as follows:

1. 60' ROW width;
2. Removal of curbing and sidewalks;
3. A minimum of 26' wide pavement / driving surface; and
4. The completion of an environmental review / study for all proposed flood / wetland crossings with a minimum study distance of 200' on either side of the proposed crossings. (Odalys – please feel free to comment on my wording of this requirement.)

Councilmember Coleman seconded the motion. All were in favor and the variance was approved.

13. **Presentation by Quiddity Engineering and discussion of and direction on wastewater capacity and related developments within the City of Johnson City, Texas. (City Engineer)**

There was no action for this item.

14. **Pursuant to Section 5 *Management of Funds* of a Hotel Occupancy Tax (HOT) Funding Agreement dated February 2021 between the City of Johnson City, Texas and the Johnson City Chamber of Commerce, discussion of and action on the Chamber's FYE 2023 HOT Fund Budget. (Chamber/Council)**

Councilmember Coleman made a motion to table the item. Councilmember Guthrie seconded the motion. The item was tabled.

15. **Discussion of and action on FYE 2023 Outside Agency / Hotel Occupancy Tax Funding Applications from the following entities:**

a. Lights Spectacular Hill Country Style, Inc. -

- a. \$5,000.00 (HOT); and
- b. \$10,000.00 (Outside Agency);

b. Capital Area Rural Transportation System (CARTS) - \$2,000.00 (Outside Agency);

c. Blanco County 4-H - \$2,199.00 (Outside Agency); and

d. Johnson City Young Life - Up To \$7,000.00 (Outside Agency). (Outside Agencies)

Councilmember Coleman made the motion to approve the funding in the following amounts:

Lights Spectacular Hill Country Style, Inc:

- a. \$5,000.00 (HOT); and
- b. \$10,000.00 (Outside Agency);

CARTS - \$2,000.00

Blanco County 4-H - \$2,199.00

Johnson City Young Life - \$5801.00

Councilmember Babb seconded the motion. All were in favor and the funding was approved.

16. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas revising and amending Chapter 13 *Utilities*, Article 13.02 *Water and***

Sewers of the City Code of Ordinances related to the collection of delinquent utility billing accounts receivable, including, but not limited to, the following:

- a. **A memorandum dated June 10, 2022 terminating a Contract for Court Collection Services and an Agreement for Cloud System Services between the City of Johnson City, Texas and Graves Humphries Stahl, Ltd. effective October 27, 2022 and September 30, 2022, respectively;**
- b. **A Contract for the Collection of Delinquent Municipal Court Fines and Fees between the City of Johnson City, Texas and McCreary, Veselka, Bragg, and Allen, P.C. (MVBA) for specific legal services and the collection of delinquent Municipal Court fines, fees, Court costs, restitution, debts, and accounts receivable; and**
- c. **A Contract for the Collection of Delinquent Accounts Receivable between the City of Johnson City, Texas and MVBA for the collection of delinquent utility billing accounts receivable. (Staff)**

Councilmember Coleman made the motion to approve the item as presented. Councilmember Fisher seconded the motion. All were in favor and the item was approved.

17. **Discussion of and direction on the Municipal sale of bulk water, including, but not limited to, Municipal Code of Ordinances Chapter 13 *Utilities*, Article 13.02 *Water and Sewers*, Division 2 *Sale of Bulk Water*. (Staff)**

Councilmember Dildine motioned to reinstate the sale of bulk water. Councilmember Coleman seconded the motion. All were in favor and the motion was approved.

18. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas revising and amending Chapter 2 *Animal Control*, Article 2.01 *General Provisions*, Section 2.01.005 *Prohibitions* of the City Code of Ordinances related to the feeding of animals; providing for a penalty; and providing for an effective date. (Mayor Stell)**

Councilmember Babb made the motion to approve the ordinance. Councilmember Fisher seconded the motion. All were in favor and the motion was passed.

19. **Pursuant to Municipal Code of Ordinances Chapter 14 *Zoning*, Article IV *Zoning Applications and Amendments*, Section 4-1 *Initiation of Zoning Amendments and Changes*, discussion of and action on the zoning district classification of properties located along Plum Short, including, but not limited to, 102 Plum Short, Johnson City, Texas 78636, more particularly described as BCAD Prop. ID No. 4632. (Staff)**

Councilmember Fisher made the motion to start the rezoning process for properties at 100 Plum Short, Johnson City, TX 78636; 102 Plum Short, Johnson City, TX 78636; and 408 W. Main St., Johnson City, TX 78636. Councilmember Babb seconded the motion. All were in favor and the item was approved.

20. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas adopting an Official Zoning Map for the City; repealing all prior Zoning Maps; providing for maintenance and filing of the Official Zoning Map; and providing for related matters. (Staff)**

Councilmember Coleman made the motion to approve the item as presented. Councilmember Fisher seconded the motion. All were in favor and the item was approved.

21. **Discussion of and action on the appointment of Richard Paul Babb to the Capital Improvement Advisory Committee and/or the Planning and Zoning Commission. (Applicant)**

Councilmember Babb recused herself due to personal reasons. Councilmember Coleman made the motion to add Paul Babb to both the Improvement Advisory Committee and the Planning and Zoning Commission. Councilmember Guthrie seconded the motion. All were in favor of the appointment.

22. **Pursuant to U.S. Environmental Protection Agency requirements, discussion of and action on a Master License Agreement between the City of Johnson City, Texas and BlueConduit for the completion of a lead service line inventory for the City's Public Water System in the amount of Twelve Thousand Nine Hundred Dollars and No Cents (\$12,900.00). (Staff)**

Councilmember Coleman motioned to approve the item pending legal council making final contract negotiations. Councilmember Guthrie seconded the motion. All were in favor and the item was approved.

City Council adjourned into Closed Session at 9:07 pm.

CLOSED SESSION:

23. The City Council will convene into Closed Session in accordance with Government Codes:

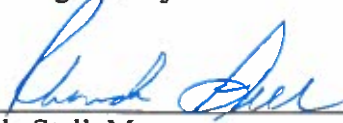
§551.071 Consultation with Attorney and §551.087 Deliberation regarding Economic Development Negotiations to receive legal advice and deliberate a Chapter 380 Economic Development Award and Loan Agreement between the City of Johnson City, Texas and Titan Milling, Inc. for the relocation of the entity's business operations to the City and the renovation of 401 E. Main St., Johnson City, Texas 78636 in the amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00). (Staff)

City Council adjourn into Open Session at 9:12pm.

24. **Discussion of and action on matters discussed in Closed Session. (Council)**

Councilmember Babb made the motion to execute the contract as stated. Councilmember Fisher seconded the motion. All were in favor and the item was approved.

With no further business before the council, the meeting was adjourned at 9:14 pm.



Rhonda Stell, Mayor
City of Johnson City, Texas

ATTEST:



Whitney Walston, City Secretary